

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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MARIAH LOPEZ,

Petitioner,

against -

NYC DEPARTMENT OF HOMELESS SERVICES, AFFIDAVIT
PROJECT RENEWAL,

Respondents. Index No. 100632/2017

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STATE OF NEW YORK)

COUNTY OF NEW YORK)

Tonya Fowler, being duly sworn, deposes and says:

1. I have been employed by Project Renewal as a Cook for approximately three years.
2. I was assigned to work at the Marsha's House facility from its opening in February 2017 to approximately on or after May 17, 2017.
3. Breakfast is served from 7:00AM to 8:15AM. There is a possibility that food will run out, so I don't start serving residents "seconds" immediately, to help make sure that everyone has a chance to get a meal.
4. Lunch is served from 12:00PM to 1:15 PM. There is a possibility that food will run out, so I don't start serving residents "seconds" until about 12:45 pm, to help make sure that everyone has a chance to get a meal.
5. About a day or two after she arrived, Ms. Lopez came into the food service area and was being very loud. She had her dog with her. Ms. Lopez asked for lunch, and I gave it to her. A little while later, and well before 12:45pm when I start serving seconds of lunch, Ms. Lopez returned and asked for another lunch plate. I advised Ms. Lopez that I didn't normally give "seconds" until 12:45 pm, but that I would I accommodate her this one time, and I gave her a second lunch plate. I saw that she gave it to her dog to eat. I notified facility staff about what had happened.

6. Two or three days later, I was waiting in the lobby for my ride home after my shift, and I saw Ms. Lopez. She was complaining about the kitchen. She called me a "bitch" who didn't want to feed anybody.
7. Ms. Lopez had something negative to say pretty much every time she came to where I was serving food. Sometimes it was about the food, but she also complained about how I look, claiming that I gave her "dirty looks" and that I should smile when I served her food.
8. On or about May 10, 2017, I served Ms. Lopez a lunch plate and she started yelling and screaming about the amount of food I gave her and that I wasn't giving everyone the same amount of food. She also demanded that if someone came up and asked for sugar or something, I was supposed to stop serving food and go get it for them. Ms. Lopez said that she would "whip my ass" and "beat the shit out of me" if I didn't comply with her demand or if she thought someone was getting more food than another person. She also said that, if she got put out of Marsha's House, she would go back to her aunt's house and tell her that she had tried to hang out but that one of the kitchen staff (meaning me) took her outside of her usual character.
9. I left the food service area as soon as I could after lunch service that day because I was concerned that Ms. Lopez might put her hands on me. I felt physically threatened, and I also felt threatened because if I responded physically to a physical attack, I could lose my job.
10. I went straight to Kaedon Grinnell, the Director of Marsha's House, and told him what happened. I then went to the New York Police Department precinct and filed a complaint about Ms. Lopez threatening me.
11. I was out for a few days after this incident due to Ms. Lopez's threats against me. When I returned to Marsha's House on or about May 17, 2017 I prepared and served breakfast as usual. We were serving eggs that morning, but, as sometimes happens, we ran out. Ms. Lopez came in towards the end of breakfast service. We had already run out of the egg, so I offered her cereal. Ms. Lopez refused the cereal, started recording things on her phone, and started complaining that she should get eggs because everyone else got eggs. I went to get security. Ms. Lopez claimed that I had refused to serve her. I explained that I just couldn't serve her eggs because we ran out and there weren't any more eggs, but that I had offered her cereal instead.
12. I transferred to another location after these incidents. I believe that Ms. Lopez intends to harm me, and I don't feel safe at Marsha's House any more. I also believe that Ms.

Lopez would continue to harass me if I returned to Marsha's House. She regularly had something negative to say pretty much every time she came to where I was serving food. Sometimes it was about the food, but she also complained about how I look, complaining that I gave her "dirty looks" and that I didn't smile at her when I served her food.

TONYA FOWLER

Sworn to before me this
24th day of May 2017

Katina S. Roye
NOTARY PUBLIC

KATINA S. ROYE
Notary Public - State of New York
No. 01R06292976
Qualified in Bronx County
My Commission Expires November 12, 2017